

SENATE No. 369

The Commonwealth of Massachusetts

PRESENTED BY:

Mr. Brewer

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act establishing the Quaboag and Ware River Valley Heritage District Commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Todd M. Smola	1st Hampden
Jennifer M. Callahan	18th Worcester
Anne M. Gobi	5th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00489 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ESTABLISHING THE QUABOAG AND WARE RIVER VALLEY HERITAGE DISTRICT COMMISSION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. There is hereby established the Quaboag and Ware Rivers Valley Heritage
2 District, hereinafter referred to as the district, which shall include the towns of Barre,
3 Belchertown, Brimfield, Brookfield, East Brookfield, Hardwick, Monson, New Braintree,
4 North Brookfield, Palmer, Spencer, Ware, Warren and West Brookfield, to recognize the
5 significant historic, cultural and natural resources of the Quaboag and Ware Rivers
6 Valley and to preserve and interpret those resources for the education and inspiration of
7 present and future generations. Nothing herein shall be construed to limit the rights of
8 private property owners or of municipal or state governments to develop the lands,
9 buildings, and resources in the manner they determine appropriate. It is the purpose of
10 this act to provide a management framework to assist the commonwealth and the units of
11 local government cited herein in the development and implementation of integrated
12 cultural, historical, land and water resource management programs in cooperation with

the federal government in order to retain, enhance and interpret the significant values of the lands, water and structure in the district.

SECTION 2. There shall be a commission to be known as the Quaboag and Ware Rivers Valley Heritage District Commission, hereinafter referred to as the commission. The commission may: (i) coordinate activities of and establish cooperative agreements with federal, state and local governments and private businesses and organizations in order to further historic preservation, cultural conservation, natural area protection, tourism, and compatible revitalization; (ii) establish guidelines and standards for projects and prepare programs and exhibits, consistent with standards established by the National Park Service for preservation of historic properties, including interpretive methods, to further recognition, preservation, promotion, interpretation and economic revitalization of the historic and natural resources in the district; (iii) provide advice and assistance in preparation of loan or grant applications to the commission and applications for loans or grants from the federal or non-federal sources in furtherance of the purposes of this act; (iv) make loans and grants, from funds appropriated, donated or otherwise made available to the commission, for the purpose of conserving and protecting sites, buildings, resources and objects which are included or eligible for inclusion on the National Register of Historic Places or for the purpose of providing education and cultural programs which encourage appreciation of the resources in the district; (v) prepare and implement a study report which shall incorporate, in whole or in part, the plan prepared by the Quaboag and Ware Rivers Valley Heritage District Commission and which shall present a unified historic preservation and interpretive plan for the district. The report shall include an analysis of the methods and means of identifying, preserving and

36 interpreting the historical, cultural and natural resources of the district along with
37 recommendations concerning utilization of those resources and coordination of activities
38 within the district.

39 SECTION 3. The commission shall consist of the commissioner of conservation and
40 recreation or his designee, the chairman of the Massachusetts historical commission or
41 his designee, the executive director of the Massachusetts office of travel and tourism or
42 his designee, and 6 other persons to be appointed by the governor, 4 of whom shall be
43 representatives of local government from the communities within the district and 2 of
44 whom shall be individuals who are residents of the district to represent other interests as
45 the governor deems appropriate. A vacancy in the commission shall be filled in the
46 manner in which the original appointment was made. The members appointed by the
47 governor shall serve for terms of 3 years but a member may serve after the expiration of
48 his term until his successor has been appointed and qualified.

49 Members of the commission shall receive no compensation for their services on the
50 commission but may receive reasonable expenses for travel when engaged in commission
51 business if the expenses are not reimbursed by any other source.

52 The chairperson of the commission shall be elected by the members of the commission
53 for a term of 1 year and may be eligible for re-election to subsequent terms. A simple
54 majority of the members shall constitute a quorum for the transaction of business. The
55 commission shall meet at least quarterly. In addition, the commission may meet at the
56 call of the chairperson or a majority of its members.

SECTION 4. The commission may, for the purpose of this act, hold such hearings, sit and act at such times and places, take such testimony and receive such evidence, as the commission may deem necessary. The commission may make such bylaws, rules and regulations as it deems necessary to carry out its functions. When so authorized by the commission, a member or agent of the commission may take any action which the commission is authorized to take by this section.

The commission may establish and appoint technical advisory groups and subcommittees to provide technical advice in financing, historic preservation, natural resource preservation, recreation, tourism, and intergovernmental coordination. Notwithstanding any other general or special law to the contrary, the commission may seek, accept and dispose of donations of funds, property and services from individuals, foundations, corporations and other private entities and from public entities for the purpose of carrying out its duties. The commission may use funds to obtain money from any sources under any program or law requiring the recipient of such money to make a contribution in order to receive such money. The commission may obtain, by purchase, rental, donation or otherwise, such property, facilities and services as may be needed to carry out its duties.

The commission may acquire real property or interests in real property in the district by gift, rental or purchase with money which was given, bequeathed or appropriated to the commission on the condition that the money would be used to purchase real property or interests therein in the district.

The commission may establish such advisory groups as the commission deems necessary to ensure open communication with and assistance from the secretary of the United States

79 Department of the Interior, the commonwealth, political subdivisions thereof and
80 interested persons.

81 The commission may enter into cooperative assessments with the secretary of the United
82 States Department of the Interior, the commonwealth, political subdivisions therefore, the
83 commonwealth or any other person.